

ESTTA Tracking number: **ESTTA719980**

Filing date: **01/12/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Synopsys, Inc.
Granted to Date of previous extension	01/13/2016
Address	690 E Middlefield Road Mountain View, CA 94043 UNITED STATES
Attorney information	Stephen R. Garcia Fenwick & West LLP 801 California Street Mountain View, CA 94041 UNITED STATES trademarks@fenwick.com Phone:(650) 988-8500

Applicant Information

Application No	86269588	Publication date	09/15/2015
Opposition Filing Date	01/12/2016	Opposition Period Ends	01/13/2016
Applicant	Somasundaram Ramkumar 28, South Street, Tallakulam Madurai, Tamil Nadu, 625002 INDIA		

Goods/Services Affected by Opposition

Class 009. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: SIM cards; Standardised Simcard; Small sized SIM cards; NanoSIM cards; Sockets for SIM cards for Mobile Phone; Sockets for Standard sized SIM cards for Mobile Phone; Sockets for Small sized SIM cardsfor Mobile Phone; Sockets for NanoSIM cards for Mobile Phone; Telephones including Telephones for domestic use; Landline Telephone; Cordless Telephones; Car Telephones; Electronic Telephones; VOIP Phone; Video Telephones; Mobile Telephones; Cellular Phone; Mobile Phone; Cell Phone; Tablet Smartphone; Touch Phone; Smartphone; Qwerty Messaging Phone; Multimedia Phone; Satellite Mobile Telephones; Satellite Cellular Telephones; Satellite Mobile Phone; Network Communication Equipment, namely, telecommunications base stations for cellular and fixed networking; Optical Communication Equipment, namely, optical transmitters, optical receivers; TV; Television; CRT Television; Plasma Television; LCD Television; LED Television; Ultraslim Television; Flat Television; Wireless Local Area Networking communication devices, namely, computer cards for connecting portable computer devices to computer networks, access pointsfor connecting network computer users; Data communications network adapters

Grounds for Opposition

Deceptiveness	Trademark Act section 2(a)
False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
Other	Applicant did not have a bona fide intent to use the mark in connection with the identified goods as of the filing date of the application under Trademark Act Â§ 1(b), 15 U.S.C. Â§ 1051(b). See TBMP 309.03(c)(5).

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1618482	Application Date	03/30/1989
Registration Date	10/23/1990	Foreign Priority Date	NONE
Word Mark	SYNOPSISYS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1988/02/29 First Use In Commerce: 1988/05/03 COMPUTER PROGRAMS AND PROGRAM MANUALS, ALL SOLD AS A UNIT, FOR USE IN ELECTRONIC CIRCUITRY APPLICATIONS		

U.S. Registration No.	1601521	Application Date	03/30/1989
Registration Date	06/12/1990	Foreign Priority Date	NONE
Word Mark	SYNOPSISYS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1988/02/29 First Use In Commerce: 1988/05/03 INTEGRATED CIRCUIT DESIGN SERVICES		

Attachments	SYNOPSISYS_Opposition.pdf(41850 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Stephen Garcia/
Name	Stephen R. Garcia
Date	01/12/2016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of Trademark App. Ser. No. 86269588

Filed: May 2, 2014

Published: September 15, 2015

Mark: SYNOPSYS

Synopsys, Inc.,)	
Opposer,)	
)	Opposition No. _____
vs.)	
)	
Somasundaram Ramkumar, an individual,)	
Applicant.)	
)	

NOTICE OF OPPOSITION

Opposer, Synopsys, Inc. (“Opposer”), a Delaware corporation having its principal place of business at 690 East Middlefield Road, Mountain View, California, 94043, believes it will be damaged by registration of the mark shown in Application Serial Number 86269588 in International Class 9 (the “Application”) and hereby opposes that Application, having obtained the necessary extension of the opposition deadline following publication on September 15, 2015, alleging as grounds for opposition that:

1. As is evidenced by the publication of the Application on September 15, 2015, Applicant Somasundaram Ramkumar (“Applicant”), seeks to register SYNOPSYS (the “Proposed Mark”), in International Class 9 for “SIM cards; Standardised Simcard; Small sized SIM cards; NanoSIM cards; Sockets for SIM cards for Mobile Phone; Sockets for Standard sized SIM cards for Mobile Phone; Sockets for Small sized SIM cards for Mobile Phone; Sockets for NanoSIM cards for Mobile Phone; Telephones including Telephones for domestic use; Landline Telephone; Cordless Telephones; Car Telephones; Electronic Telephones; VOIP Phone; Video Telephones; Mobile Telephones; Cellular Phone; Mobile Phone; Cell Phone; Tablet Smartphone; Touch Phone; Smartphone; Qwerty

Messaging Phone; Multimedia Phone; Satellite Mobile Telephones; Satellite Cellular Telephones; Satellite Mobile Phone; Network Communication Equipment, namely, telecommunications base stations for cellular and fixed networking; Optical Communication Equipment, namely, optical transmitters, optical receivers; TV; Television; CRT Television; Plasma Television; LCD Television; LED Television; Ultraslim Television; Flat Television; Wireless Local Area Networking communication devices, namely, computer cards for connecting portable computer devices to computer networks, access points for connecting network computer users; Data communications network adapters.”

2. On information and belief, Applicant does not have a bona fide intention to use the Proposed Mark in commerce in the U.S.; rather, the Application is merely retaliation against Opposer related to a dispute between the parties in India where Applicant applied to register Opposer’s NANOSIM registered trademark, and Opposer opposed the application. Applicant has also filed a retaliatory application to register NANOSIM in the U.S., despite Opposer’s prior U.S. registration for the mark, and has registered domains that include Opposer’s SYNOPSYS and NANOSIM marks. See chart in the following paragraph.
3. On information and belief, applicant is a serial trademark and domain squatter who has poached multiple well-known third party trademarks in domain registrations and trademark applications worldwide, including:

Trademark	Country	Class	Application Number	Application Date	Owner	Status
ANDROIDONE	United States	9	86388216	8-Sep-14	Ramkumar Somasundaram	Pending
AMAZON	United States	9	86310264	16-Jun-14	Ramkumar Somasundaram	Pending
ANDROID	United States	38	86288617	22-May-14	Ramkumar Somasundaram	Pending

Trademark	Country	Class	Application Number	Application Date	Owner	Status
SYNOPSISYS	United States	9	86269588	2-May-14	Ramkumar Somasundaram	Pending
NANOSIM	United States	9	85863823	1-Mar-13	Ramkumar Somasundaram	Pending
NANOSIM	United Arab Emirates	9	187859	5-Mar-13	Ramkumar Somasundaram	Pending
GOOGLR	China	38	12741596	13-Jun-13	Ramkumar Somasundaram	Pending
GOOGLER	China	38	12741597	13-Jun-13	Ramkumar Somasundaram	Pending
OUTLOOK	China	38	12355574	1-Apr-13	Ramkumar Somasundaram	Pending
EBATES	India	38	2982183	11-Jun-15	Ramkumar Somasundaram	Pending
OUTLOOK	India	38	2536980	24-May-13	Ramkumar Somasundaram	Pending
NANOSIM	India	9	2488669	4-Mar-13	Ramkumar Somasundaram	Pending
OUTLOOK	Malaysia	38	2013013611	30-Sep-13	Ramkumar Somasundaram	Pending
NANOSIM	Malaysia	9	2013001960	4-Feb-13	Ramkumar Somasundaram	Pending
FACINGBOOK CONNECTING PEOPLE	Malaysia	38	2013001959	4-Feb-13	Ramkumar Somasundaram	Pending
HOTMAIL WORLD	Malaysia	38	8024871	18-Dec-08	Ramkumar Somasundaram	Pending
OUTLOOK	Singapore	38	T1315704H	30-Sep-13	Ramkumar Somasundaram	Pending

Domain Names		
android.com.cm	hotmailworld.org	twittertwo.com
androidone.email	hotmailworldwide.com	twittertwoo.com
androidone.tv	linkedincorp.com	twittker.com
androidonemail.com	linkincorp.com	twittkr.co
androidonetv.com	linkincorporation.com	welinkedin.com
ebates.online	livehotmail.net	welinkedin.net
facingbook.com	nanosim.co.in	yahoodigu.com
firefoxone.com	nanosimcorporation.com	yahoolive.co
gmailbiz.com	nanosimmail.com	yahoolivemail.co

Domain Names		
gmails.asia	nanosimmail.net	yahoome2u.com
googlebiz.co	nanosimmobile.com	yahoosprockets.com
googlelive.co	outlookicon.com	youtubein.com
googlelivemail.com	outlookmail.pw	
googlemailworld.com	outlookskype.com	
googlrmail.co	outlookword.com	
hotmailworld.biz	salesforce.im	
hotmailworld.com	synopsys.email	
hotmailworld.net	twitker.com	

4. Opposer is now, and for nearly 30 years has been, engaged in the manufacture, distribution, and sale of software and the provision of software related services. Opposer has used its SYNOPSYS trademark in interstate or international commerce in connection with these goods and services since at least February 29, 1988. Opposer offers various types of software and services, with a focus on goods and services in the field of electronic design automation, including analyzing, designing, and manufacturing integrated circuits, semiconductor IP, software quality, and software security (all of these goods and services hereinafter referred to as the “SYNOPSYS Goods”).
5. All of the SYNOPSYS Goods have been or are being advertised, promoted, marketed, offered, and sold in connection with Opposer’s SYNOPSYS trademark.
6. By virtue of Opposer’s widespread and continuous use of its SYNOPSYS mark in connection with the SYNOPSYS Goods, Opposer has established extensive common law rights in the SYNOPSYS mark.
7. Opposer owns United States Trademark Registration No. 1618482 for the mark, SYNOPSYS, for “computer programs and program manuals, all sold as a unit, for use in electronic circuitry applications” in Class 9. This incontestable registration is in full force and effect.
8. Opposer owns United States Trademark Registration No. 1601521 for the mark, SYNOPSYS, for “integrated circuit design services” in Class 42. This incontestable registration is in full force and effect.

9. The Proposed Mark is identical to Opposer's SYNOPSIS trade name and registered mark.
10. There is no issue as to priority. For decades, Opposer has continuously used its SYNOPSIS trade name and mark in the U.S. and internationally, since long before Applicant filed the Application for, or began using, the identical mark. Opposer began uses of SYNOPSIS on or before February 29, 1988 and filed its U.S. trademark applications on March 30, 1989; Applicant filed the Application as an intent to use application on May 2, 2014, and, on information and belief, had no use prior to that filing. Opposer's registrations became incontestable before Applicant filed the Application for, or started using, the identical mark, and Opposer's registrations remain incontestable.
11. The Application is likely to falsely suggest a connection between Applicant and Opposer's trade name and mark, because the Proposed Mark is identical to Opposer's SYNOPSIS name and identity and would be recognized as an approximation of Synopsys' name and identity. And Opposer's name and reputation is well-known, such that a connection with Opposer would be presumed when Applicant uses the SYNOPSIS mark in connection with the applied for goods. Accordingly, Applicant's confusing use of SYNOPSIS would uniquely and unmistakably point to Opposer's well-known name and identity. Especially given that the goods claimed in the Application are related to the SYNOPSIS Goods.
12. In view of the related nature of Opposer's and Applicant's respective goods and services and the fact that Opposer's SYNOPSIS mark and the Proposed Mark are identical, Applicant's registration and use of the Proposed Mark is likely to cause trade and consumer confusion, mistake, or deception as to the origin, source, sponsorship, or association of Applicant's goods and services, thereby causing loss, damage, and injury to Opposer and consumers.

13. In light of the above facts, Opposer is likely to be harmed by registration of Application Serial No. 86269588 for the mark SYNOPSYS.

WHEREFORE, Opposer respectfully requests that the Trademark Trial and Appeal Board refuse Application Serial No. 86269588 and sustain the Opposition.

This Notice is submitted electronically. Please charge the requisite fee to our Deposit Account No. 500261, referencing No. 22524-00070.

Respectfully submitted,

Dated: January 12, 2016

/Stephen Garcia/
Stephen Garcia
Stephen R. Garcia
Attorneys for Opposer, Synopsys, Inc.
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PROOF OF SERVICE BY MAIL

I declare that:

I am employed in the County of Santa Clara, California.

I am over the age of eighteen years and not a party to the within cause; my business address is Fenwick & West LLP, Silicon Valley Center, 801 California Street, Mountain View, CA 94041. On January 12, 2016, I served the within NOTICE OF OPPOSITION on the interested parties in said cause, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, via U.S. First Class Mail in Mountain View, California, addressed as follows:

**Andrew D. Dorisio
King and Schickli PLLC
247 N Broadway
Lexington, Kentucky 40507-1058
United States**

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed in Mountain View, California, this 12th day of January, 2016.

/Victoria Bocek/
Victoria Bocek